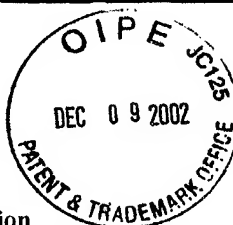


**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket No.
LHC0091-08

In re Application of: **Thomas R. Neuenschwander**
Application No. **10/022,599**
Filed: **December 13, 2001**
For: **PENCIL CORE AND METHOD OF MAKING**



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DEC 13 2002

The owner, **L.H. Carbide Corporation** of **100.00** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number **09/710,659 and 09/710,313**, filed on **11/9/2000 and 11/10/2000**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

12/11/2002 DTESSEM1 00000118 10022599

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110.00 DP

2. ☒ The undersigned is an attorney of record.

3. Owner/applicant is ☐ Small entity ☒ Large entity

The terminal disclaimer fee under 37 CFR 1.20(d) is **\$110.00** and is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.

- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number **02-0385**. A duplicate copy of this sheet is enclosed.

PTO suggested wording for terminal disclaimer was

- ☒ unchanged. ☐ changed (if changed, an explanation should be supplied.)

Dated: **December 2, 2002**

Name and Address of Person Signing

Anthony Niewyk, Reg. No. 24,871

Baker & Daniels
111 East Wayne Street, Suite 800
Fort Wayne, IN 46802
Telephone: 260-424-8000
Facsimile: 260-460-1700

**TERMINAL DISCLAIMER
APPROVED**

DEC 20 2002

**TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER**

Sharon S. Hoppe
SHARON S. HOPPE
PARALEGAL SPECIALIST
TECHNOLOGY CENTER 2800

I certify that this document and fee is being deposited on **December 2, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Brian C. Pauls, Reg. No. 40,122

Typed or Printed Name of Person Mailing Correspondence



2034
5814
12-2002
GP#5277#
PATENT
LHC0091-08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
Thomas R. Neuenschwander) Group No. 5277
Application No.: 10/022,599)
Filed: December 13, 2001) Examiner: Tamai, Karl I.
Title: PENCIL CORE AND METHOD OF)
MAKING)

8 Terminal
Disclaimer

SUBMISSION OF TERMINAL DISCLAIMER RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

DEC 20 2002

OFFICE OF THE SPECIAL
PROGRAMS EXAMINER

Sir:

Enclosed herewith is a Terminal Disclaimer in the above-identified application
together with the fee required under 37 CFR 1.20(d).

In the event Applicant has overlooked the need for any extension of time or payment
of fee or included insufficient fees herewith, Applicant hereby petitions therefor and
authorizes that any charges be made to Deposit Account No. 02-0385, Baker & Daniels.
Should the Examiner have any further questions regarding any of the foregoing, the Examiner
is respectfully invited to telephone the undersigned at (260) 424-8000.

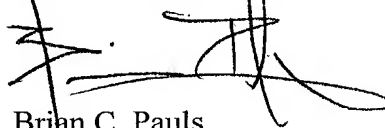
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PATENT
LHC0091-08

Applicant respectfully requests that the attached Terminal Disclaimer be entered in
the above-identified application.

Respectfully submitted,



Brian C. Pauls
Registration No. 40,122

Attorney for Applicant

BCP:sm

BAKER & DANIELS
111 East Wayne Street, Suite 800
Fort Wayne, IN 46802
Telephone: 260-424-8000
Facsimile: 260-460-1700

Enclosures: Terminal Disclaimer
Check No. 107041
Postcard

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO:
ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC
20231, ON: December 2, 2002

BRIAN C. PAULS, REG. NO. 40,122

NAME OF REGISTERED REPRESENTATIVE



SIGNATURE

December 2, 2002

DATE